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Remarks

Rejections under 35 U.S.C. §102

Claims 21-25 and 45-58 are rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,370,174 to Braithwaite Jr. ("Braithwaite"). Applicant traverses the rejection.

Braithwaite.

Braithwaite discloses a method for removing adhesive residues by treating the residue with an emulsion cleaner. The emulsion cleaner includes an organic solvent, an inorganic solid absorbent powder, a water-in-oil surfactant, and a oil-in-water surfactant.

Braithwaite's composition comprises organic solvents, *preferably an aromatic solvent*. See Col. 1, lines 45-50; Col. 2, lines 15-21. Aromatic solvents are preferred, especially with a high flash point above 190 degrees F, because of their high solvency for asphaltic, polyvinyl acetate and rubber base adhesives. See Col. 3, lines 47-53. The Braithwaite composition also comprises an inorganic solvent absorbent powder, a water-in-oil surfactant, an oil-in-water surfactant, and water. See Claim 1. The surfactants added to the composition may be cationic and anionic. See Col. 4, lines 32-33.

The composition is applied to the floor in an emulsion form. See Col. 3, lines 8-35. After some time, the adhesive is softened, and aided by mechanical working of the residues while in contact with the cleaning composition, the adhesive is loosened. See Col. 3, lines

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1-7. Then water is added, agitated into the composition using mechanical means. *See* Col. 3, lines 8-35. The addition of water to the composition reverses the external phase of the emulsion and forms a water external phase. *See id*; Claim 1(c-e).

The Claims

The claims are directed to methods for removing a floor covering adhesive material which is attached to a surface. The method includes applying a composition to the floor covering adhesive such that the composition contacts the adhesive material and wets and penetrates the adhesive material to break down adhesive bonds between the floor covering and the surface; and removing the adhesive material from the surface. The composition includes an alkaline amine reagent coupled with a non-ionic wetting agent.

The Braithwaite method is different than Applicant's claimed method. Braithwaite uses aliphatic, alicyclic and aromatic solvents, and especially desires aromatic solvents. Applicant explicitly states that hazardous compounds, especially *aromatic compounds*, are not desired for the claimed method. (p. 4, lines 2-5). As such, Braithwaite fails to disclose Applicant's claimed invention.

Furthermore, Applicant's composition does not include cationic and anionic surfactants. Instead, a non-ionic wetting agent with a low combined surface tension is used. *See* p. 5, lines 15-31.

Braithwaite's composition also requires additional inorganic solid absorbent powders to keep the composition from evaporating. *See* Claim 1(ii). By contrast, the

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viscosity and surface tension of Applicant's composition are low enough to assure wetting out and penetration of the adhesive material coupled with a slow evaporation rate to allow enough time for the polar groups of both components to reemulsify, plasticize or otherwise coat the components of the adhesives. See p. 5, lines 15-31.

Rejections under 35 U.S.C. §103

Claims 21-25 and 45-58 have been rejected under 35 U.S.C. §103(a) as being obvious over United States Patent No. 4,370,174 to Braithwaite Jr. ("Braithwaite"). Applicant traverses the rejection as applied the claims as amended.

Braithwaite has been described above.

All of the solvents listed are hazardous and the type of solvent Applicant does not wish to use due to the hazardous nature of these compounds See page 2 lines 28-34. As such, Braithwaite uses compounds that teach away from the compounds Applicant uses. Additionally, Braithwaite fails to disclose or suggest any of the compounds now set forth in the claims. As such, it is respectfully submitted that Braithwaite does not render the claimed method obvious.

The purposeful choice to use the aromatic cleaning compositions in Braithwaite is for their high solvency of adhesive compounds. See Col. 3, lines 47-49. Contrary to Braithwaite's high volatile composition, Applicant's invention is directed to a method of removing adhesives which do not include, much less *prefer*, aromatic materials, and thus,

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Applicant's methods may be used in a safe and easy manner. *See* p. 4, lines 1-8. As already stated, Applicant's invention specifically *teaches against* using aromatic materials. *See* p. 4, lines 2-5 ("It is still another object of the present invention to provide a composition for removing adhesives and floor coverings which do not include harmful materials such as high VOCs, aromatics, ketones, acetates or chlorinated solvents."); p. 4, lines 28-34 (same).

One of ordinary skill would not be motivated by the disclosure of Braithwaite to arrive at the claimed method absent the teachings of the present specification.

Allowance of claims 21-25 and 45-58 is respectfully solicited.

Respectfully submitted,

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